Paper No. 19

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**OFFICE OF PETITIONS**

In re Application of   :
Marcotte, et al.    :
Application No. 09/493,401 :  ON RENEWED PETITION
Filed: January 28, 2000  :
Attorney Docket No. 07419-023001 :

This is a decision on the renewed petition under 37 CFR 1.137(b), filed via facsimile on July 15, 2002, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely file a reply to the non-final Office action mailed March 15, 2001, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on June 16, 2001. A Notice of Abandonment was mailed on February 27, 2002. Petitioner filed a petition to revive under 37 CFR 1.137(b) on April 4, 2002. However, because the required reply was not submitted, the petition was dismissed in a decision mailed on June 25, 2002.

Petitioner has met the requirements for a grantable petition under 37 CFR 1.137(b). Petitioner submitted the required reply in the form of an amendment. The petition fee and the proper statement of unintentional delay were previously submitted with the earlier petition on April 4, 2002.

Receipt of the formal drawings submitted with the instant petition is acknowledged. However, as formal drawings can not be filed via facsimile[1], petitioner should expect to receive a further communication from the examiner requiring proper formal drawings.

The application file is being forwarded to Technology Center 1600 for consideration of petitioner's amendment, filed July 15, 2002.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-0272.

Cliff Cong
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
  for Patent Examination Policy

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[1] See 37 C.F.R. 1.6(d)(4).